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relief to his right to compel the state by mandamus to test that question in *quo warranto* proceedings. *People v. Wayman* (Ill.), 99 N. E. 941. This seems incorrect as after its charter has expired there is no longer even a corporation *de facto*.

EVIDENCE—PROOF OF FOREIGN LAW.—An action was brought to recover damages for personal injuries, the plaintiff basing his right to recover on a statute of another state. *Held*, the statute must be pleaded and proved. *Atlantic Coast Line Ry. Co. v. Barton* (Ga.), 80 S. E. 530.

As to causes of action arising in one of the thirteen original states, in the absence of evidence to the contrary, it is universally presumed that the common law is applicable and that the foreign law is the same as the common law existing in the forum. *Dunn v. Adams*, 1 Ala. 527, 35 Am. Dec. 42; *Mountain Lake Land Co. v. Blair*, 109 Va. 147, 63 S. E. 751.

But where the cause of action is based on a foreign statute, the weight of authority is that such foreign statute must be pleaded and proved. *Schultz v. Howard*, 63 Minn. 196, 56 Am. St. Rep. 470; *Union Cent. L. Ins. Co. v. Pollard*, 94 Va. 146, 26 S. E. 421, 64 Am. St. Rep. 715, 36 L. R. A. 271.

Because of the tendency towards uniformity in the statute laws of the various states, the courts now lean towards the presumption that the statutory law of the foreign state is the same as that of the forum. *Sheppard v. Coeur D'Alene Lumber Co.*, 62 Wash. 12, 112 Pac. 932; *W. Union Tel. Co. v. Crawford*, 29 Okla. 143, 116 Pac. 925, 35 L. R. A. (N. S.) 930; *Van Buskirk v. Kuhns*, 164 Cal. 472, 129 Pac. 587. Under this view either party to the action may show that the proper law is different from the *lex fori*, and thus any injustice is prevented.

EXECUTORS AND ADMINISTRATORS—SITUS FOR ADMINISTRATION—CORPORATE STOCK.—Decedent died domiciled in Missouri leaving shares of stock in a Kansas corporation. His Kansas creditors applied in that state for letters of administration founded on the ownership by the deceased of stock in the Kansas corporation. *Held*, the situs of the stock for the purpose of founding administration is in Missouri under the maxim *mobilia personam sequuntur*. Application denied. *Miller's Estate v. Executrix of Miller's Estate* (Kan.), 136 Pac. 255. See NOTES, p. 553.

INTOXICATING LIQUORS—SALE BY SOCIAL CLUB.—Members of a *bona fide* social club contributed a fund for the purchase of a stock of intoxicating liquors, appointing an agent to purchase and dispense the same. Each member could secure liquor in any quantity desired for his own use or that of an invited guest in exchange for coupons obtained from the agent of the club upon payment of an amount of money equal to the value of the liquor desired. The money so paid was expended by the agent to replenish the stock. The defendant, an agent of the club to purchase and dispense liquors, was indicted under a statute prohibiting the sale of intoxicants. *Held*, the defendant is guilty. *Deal v. State* (Ga.), 80 S. E. 537. See NOTES, p. 547.